

USA KLD

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8802

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alba ARREGUIN-Perez

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF


21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

On or about September 2, 2008, within the Southern District of California, defendant Alba ARREGUIN-Perez did knowingly and intentionally import approximately 43.40 Kilograms (95.48 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.



Douglas A. Struckmeyer
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 3rd
DAY OF SEPTEMBER, 2008.



PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.
Alba ARREGUIN-Perez

3 STATEMENT OF FACTS

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5 This complaint is based upon the personal observations, investigation and
6 information provided to U.S. Immigration and Customs Enforcement Special Agent
7 Douglas Struckmeyer.

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9 On September 2, 2008, Alba ARREGUIN-Perez entered the United States at the
10 Calexico, California East Port of Entry. ARREGUIN was the driver and sole occupant of
11 a 1997 Chrysler Concorde registered in her name. At the time of her entry, Customs
12 and Border Protection Officer (CBPO) S. Baca and Canine Enforcement Officer (CEO)
13 R. Navarro were conducting pre-primary inspection operations. During the pre-primary
14 operations, CEO Navarro used his Narcotic Detector Dog (NDD) to screen
15 ARREGUIN's vehicle. The NDD alerted to the passenger side door of the vehicle,
16 indicating the presence of the odor of a controlled substance in that area.

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18 CBPO Baca began to conduct a primary inspection of ARREGUIN and the
19 vehicle. CBPO received a negative Customs declaration from ARREGUIN.
20 ARREGUIN told CBPO Baca that she had owned the vehicle for two months. CBPO
21 Baca noticed that ARREGUIN's hands were visibly shaking as she handed him here
22 documents.
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25 Upon searching the vehicle, CBPO Baca observed a non-factory compartment
26 located behind the rear seat of the vehicle. Upon encountering the compartment,
27 CBPO Baca handcuffed ARREGUIN and escorted her to the vehicle secondary office.
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1 A further search of the vehicle resulted in the discovery of 41 packages
2 concealed within the non-factory compartment. The packages contained a green leafy
3 substance which field-tested positive for marijuana. The total weight of the packages
4 was 43.40 Kilograms (95.48 pounds).

5 Special Agents (SA) Struckmeyer and Lewenthal responded to the Port of Entry
6 and interviewed ARREGUIN. ARREGUIN told SA's Struckmeyer and Lewenthal that
7 she purchased the vehicle from a friend named "ANDRES". She has known "ANDRES"
8 for more than a year and that ANDRES is a drug smuggler. He has repeatedly asked
9 her to smuggle drugs into the United States, but she has declined.
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11 She recently agreed to smuggle cans of freon gas into the United States for
12 \$1,000 for Andres. She saw another drug smuggler put six cans of freon into the
13 vehicle, but she also saw the same person take the cans out of the vehicle before she
14 left for the Port of Entry. Based on the circumstances, she was suspicious that the
15 vehicle may contain drugs, but she did not know for sure.
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